

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

THOMAS W. LAWSON,

Petitioner,

Case No. 3:22-cv-40

vs.

WARDEN, Noble Correctional  
Institution,

District Judge Michael J. Newman  
Magistrate Judge Elizabeth Preston Deavers

Respondent.

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**ORDER: (1) ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION (Doc. No. 15); (2) OVERRULING PETITIONER’S OBJECTIONS (Doc. No. 18); (3) DENYING THE PETITION FOR A WRIT OF HABEAS CORPUS (Doc. No. 1); (4) DENYING A CERTIFICATE OF APPEALABILITY; (5) CERTIFYING THAT ANY APPEAL OF THIS ORDER WOULD BE OBJECTIVELY FRIVOLOUS AND FINDING THAT *IN FORMA PAUPERIS* STATUS SHOULD BE DENIED ON APPEAL; AND (6) TERMINATING THE CASE ON THE DOCKET**

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Petitioner Thomas W. Lawson is an inmate in state custody at the Noble Correctional Institution. Doc. No. 1. In February of 2020, a jury in state court found Petitioner guilty of various drug-related crimes including, for example, trafficking in a Fentanyl-related compound, possession of heroin, and trafficking in heroin. *See* Doc. No. 10 at PageID 787 (and Exhibits cited therein). The trial court sentenced him “to an aggregate term of a minimum of 12 years in prison with a maximum term of 17.5 years.” Doc. No. 9 at PageID 185. On direct appeal, the Ohio Court of Appeals affirmed Petitioner’s convictions and sentence, and the Ohio Supreme Court declined to accept jurisdiction.<sup>1</sup> Doc. No. 15 at PageID 870-71 (and Exhibits cited therein).

Petitioner brings the present case *pro se* seeking a writ of habeas corpus. The case is before

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<sup>1</sup> Petitioner also unsuccessfully sought post-conviction relief in the Ohio courts. *See* Doc. No. 15 at PageID 871 (and Exhibits cited therein).

the Court on his Petition (Doc. No. 1),<sup>2</sup> the State's Return of Writ and Exhibits (Doc. Nos. 9, 10), Petitioner's Reply (Doc. No. 13), the Report and Recommendation filed by United States Magistrate Elizabeth Preston Deavers (Doc. No. 15), and Petitioner's Objections (Doc. No. 18).

Upon careful *de novo* consideration of the foregoing, the Court concludes that Petitioner's Objections to the Report and Recommendation lack merit for the reasons set forth in the thorough and well reasoned Report and Recommendation. Doc. No. 15 at PageID 874-933. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation (Doc. No. 15); (2) **OVERRULES** Petitioner's Objections (Doc. No. 18); (3) **DENIES** the Petition for a Writ of Habeas Corpus (Doc. No. 1); (4) **DENIES** Petitioner a certificate of appealability; and (5) **CERTIFIES** that any appeal would be objectively frivolous and **FINDS** that *in forma pauperis* status should be denied on appeal; and (6) **TERMINATES** the case on the docket.

**IT IS SO ORDERED.**

January 30, 2024

s/Michael J. Newman

Hon. Michael J. Newman  
United States District Judge

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<sup>2</sup> *Pro se* filings are liberally construed and "however inartfully pleaded, must be held to less stringent standards than formal pleadings." *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)). The undersigned has applied this liberal standard in the present case.